## **Texas Commission on Environmental Quality**

#### INTEROFFICE MEMORANDUM

To:

Office of General Counsel

Date:

August 29, 2007

From:

**Enforcement Division** 

Subject:

Field Citation Compliance Certification

I-CORP, INC. (Equipment Manufacturer) Docket No. 2007-1287-WQ-E, RN100635390

Regarding the enforcement action listed above, the penalties have been paid and corrective actions have been verified complete by the Field Operations Division.

If there are any questions, please contact David Van Soest of my staff at 239-0468.

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FIELD CITATION

Field Citation No.

REGION 10 - Beaument

Investigators Name: Alex Crank   Investigators Signature: Au Carry   Investigation No.: 536434   Investigation No.: 536434   Investigation No.: 536434   Investigation No.: 536434   Investigation No.: 601737618   RN No.   100635390   Additional ID No.   Addi	ICECK	riedion									
Regulated Entity: I—Cerp Tric County: Jefferson Additional ID No.  An investigation was conducted at the regulated entity named above. The following violation(s), with a checked box and associately, are alleged against the respondent named above:  ALLEGED VIOLATION 30 TAC \$334.50(b)(1)(A) \$3.500 \$1.1  Failure to provide release detection 30 TAC \$334.50(b)(1)(A) \$3.500 \$1.1  Failure to provide corresion protection 30 TAC \$334.50(b)(1)(B) \$3.500 \$1.1  Failure to implement inventory control methods 30 TAC \$334.50(b)(1)(B) \$3.500 \$1.1  Failure to provide polic containment and overfill prevention 30 TAC \$334.50(b)(1)(B) \$3.500 \$1.1  Failure to provide spill containment and overfill prevention 30 TAC \$334.51(b)(2) \$3.500 \$1.1  Failure to possess a valid TCEQ Delivery Certificate prior 30 TAC \$334.51(b)(2) \$3.500 \$1.1  Failure to have Stage II vapor recovery equipment 30 TAC \$115.221 \$1.750 \$8.1  Failure to have Stage II vapor recovery equipment 30 TAC \$115.221 \$1.750 \$8.1  Failure to obtain a Multi-Sector General Permit (stormwater) 30 TAC \$31.5241 \$1.750 \$8.1  Failure to obtain a required occupational license 30 TAC \$30.5(a) \$2.1  Investigator Comments: (including corrective action) \$1.700 \$1	nvestigation Date: $04/12/2007$	7 Time: 2130 AM PM				Docket No.: 2007 - 1387 - L.D.					
ALLEGED VIOLATION    ALLEGED VIOLATION   30 TEX. ADMIN. CODE   ASSESSED PENALTY   MAJOR   MINO							Investigation No.: 226889				
ALLEGED VIOLATION    ALLEGED VIOLATION   30 TEX. ADMIN. CODE   ASSESSED PENALTY   MAJOR   MINO	Respondent: I - Cora, Inc.					CN No. 601737018					
ALLEGED VIOLATION    ALLEGED VIOLATION   30 TEX. ADMIN. CODE   ASSESSED PENALTY   MAJOR   MINO	Regulated Entity: I - Corp			RN No. 100635 390							
ALLEGED VIOLATION    ALLEGED VIOLATION   30 TEX. ADMIN. CODE   ASSESSED PENALTY   MAJOR   MINO	Physical Address: 4935 Fannett	County: Jefferson Additional ID No.									
ALLEGED VIOLATION    Failure to provide release detection   30 TAC §334.50(b)(1)(A)   \$3.500   \$1.     Failure to provide corrosion protection   30 TAC §334.49(a)(1)   \$3.500   \$1.     Failure to implement inventory control methods   30 TAC §334.49(a)(1)   \$3.500   \$1.     Failure to provide spill containment and overfill prevention   30 TAC §334.51(b)(2)   \$3.500   \$1.     Failure to provide spill containment and overfill prevention   30 TAC §334.51(b)(2)   \$3.500   \$1.     Failure to provide spill containment and overfill prevention   30 TAC §334.51(b)(2)   \$3.500   \$1.     Failure to possess a valid TCEQ Delivery Certificate prior to receiving fuel   \$1.750   \$8.     Failure to have Stage I vapor recovery equipment   30 TAC §115.221   \$1.750   \$8.     Failure to have Stage II vapor recovery equipment   30 TAC §115.241   \$1.750   \$8.     Failure to obtain a Multi-Sector General Permit (stormwater)   30 TAC §281.25(a)(4)   \$1.750   \$8.     Failure to obtain a required occupational license   30 TAC §30.5(a)   \$2.     Frougam:   Total Assessed Penaltry: \$8.7     Frougam:   Total Assessed Penaltry: \$8.7     Additional violation(s) noted: \$8.7     Failure to obtain a required occupational license   30 TAC §30.5(a)   \$2.5     Failure to obtain a required occupational license   30 TAC §30.5(a)   \$2.5     Frougam:   Total Assessed Penaltry: \$8.7     Additional violation(s) noted: \$8.7     Frougam:   Total Assessed Penaltry: \$8.7     Additional violation(s) noted: \$8.7     Failure to obtain a required corrective action of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within \$0.0 to the line settlement.   Policy of the line settlement named above generally denies the alleged violation must be submitted to the address circled on the back of this form, within \$0.0 to the line settlement named above generally denies the alleged violation of completed corrective action for each alleged violation for line investigation date indicates that you will c	An investigation was conducted at the reg	julated entity named a	bove. The follo	owing viol	ation(s), w	ith a	checked be	ox and	d assessed		
Failure to provide release detection   30 TAC §334.50(b)(1)(A)   \$3,500   \$1,     Failure to provide corrosion protection   30 TAC §334.50(d)(1)(B)   \$3,500   \$1,     Failure to implement inventory control methods   30 TAC §334.51(b)(2)   \$3,500   \$1,     Failure to provide spill containment and overfill prevention   30 TAC §334.51(b)(2)   \$3,500   \$1,     Failure to provide spill containment and overfill prevention   30 TAC §334.51(b)(2)   \$3,500   \$1,     Failure to possess a valid TCEQ Delivery Certificate prior to receiving fuel   \$1,750   \$87,     Failure to have Stage I vapor recovery equipment   30 TAC §115.221   \$1,750   \$87,     Failure to have Stage I vapor recovery equipment   30 TAC §115.221   \$1,750   \$87,     Failure to obtain a Multi-Sector General Permit (stormwater)   30 TAC §281.25(a)(4)   \$1,750   \$87,     Failure to obtain a required occupational license   30 TAC §30.5(a)   \$27,     Failure to obtain a required occupational license   30 TAC §30.5(a)   \$27,     Investigator Comments: (including corrective action)   \$27,     Investigator Comments: (including corrective action)   \$27,     Investigator Settle the alleged violation(s) within 30 days from the investigation date noted above, please submit this form with the Authori Representatives original signature AMD check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Recentify Name AMD Field Citation No. noted above on your payment method.    Financial Administration Division, MC 214   Fexas Commission on Environmental Quality PO Box 13088   Austin, Texas 78711-3088   Austin, Texas 78711-3088   Austin, Texas 78711-3088   Austin, Texas 78711-3089   Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural rincluding the right to formal notice of violation(s) alleged in this citation, notice of an evide			30 TEX. ADMIN. CODE			· · · · · · · · · · · · · · · · · · ·					
Failure to provide corrosion protection  30 TAC \$334.49(a)(1)	ALLEGED VIOLATION		(T/	AC) RULE			MAJOR	N	MINOR		
Failure to implement inventory control methods  30 TAC \$334.50(d)(1)(B)	Failure to provide release detection		30 TAC §334.50(b)(1)(A)		)(A)		\$3,500		\$1,750		
Failure to provide spill containment and overfill prevention  30 TAC §334.5(b)(2)	Failure to provide corrosion protection		30 TAC §334.49(a)(1)		1)		\$3,500		\$1,750		
Failure to possess a valid TCEQ Delivery Certificate prior to receiving fuel  Failure to have Stage I vapor recovery equipment  Failure to have Stage II vapor recovery equipment  Failure to have Stage II vapor recovery equipment  Failure to obtain a Multi-Sector General Permit (stormwater)  Failure to obtain a required occupational license  Program:  Investigator Comments: (including corrective action)  Investigator Comments: (including corrective action)  Failure to SETTLE the alleged violation(s) within 30 days from the investigation date noted above, please submit this form with the Authori Representatives original signature AND check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Regentity Name AND Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214  Texas Commission on Environmental Quality  PO Box 13088  Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 50 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional pena settlement.  As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural ri including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the rigapeal.  Authorized Representative Signature  For the Commission  Dato  Frinte Commission  Dato  Frinte Commission  Dato  Frinte Commission  The investigator named above. The alleged violation(s) above will be refi	Failure to implement inventory control meth	nods	30 TAC §334.50(d)(1)(B)		1)(B)		\$3,500		\$1,750		
Failure to have Stage I vapor recovery equipment 30 TAC §115.221 \$1,750 \$83.  Failure to have Stage II vapor recovery equipment 30 TAC §115.241 \$1,750 \$83.  Failure to obtain a Multi-Sector General Permit (stormwater) 30 TAC §281.25(a)(4) \$83.  Failure to obtain a required occupational license (Program: ) 30 TAC §30.5(a) \$83.  Investigator Comments: (including corrective action) Tourst obtain a Storm Water Permit Additional violation(s) noted: \$87.  Investigator Comments: (including corrective action) Additional violation(s) noted: \$87.  Investigator Comments: (including corrective action) Additional violation(s) noted: \$87.  Investigator Comments: (including corrective action) Additional violation(s) noted: \$87.  Investigator Comments: (including corrective action) Additional violation(s) noted: \$87.  Investigator Comments: (including corrective action) Tourst obtain a separative original signature AND check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Regentity Name AND Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214  Texas Commission on Environmental Quality PO Box 13088  Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 60 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional penal The respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the intentional penal than the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to formal notice of violation(s) alleged in this citation,	Failure to provide spill containment and over	erfill prevention	30 TAC §334.51(b)(2)		2)		\$3,500		\$1,750		
Failure to have Stage II vapor recovery equipment  Failure to obtain a Multi-Sector General Permit (stormwater)  Failure to obtain a Multi-Sector General Permit (stormwater)  Failure to obtain a required occupational license (Program:		Certificate prior	30 TAC §334.8(c)(5)(A)(i)		(A)(i)				\$875		
Failure to obtain a Multi-Sector General Permit (stormwater)  Failure to obtain a required occupational license (Program:  Investigator Comments: (including corrective action) (Post obtain Stark Water permit  If YOU CHOOSE TO SETTLE the alleged violation(s) within 30 days from the investigation date noted above, please submit this form with the Author Representatives original signature AND check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Reg Entity Name AND Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214  Texas Commission on Environmental Quality PO Box 13088  Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 60 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional penal. The respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the intestilement.  As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural ri including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right appeal.  **Human Austern Maurager** **III.**  **Juntorized Representative Signature**  **Juntor	Failure to have Stage I vapor recovery equ	ipment	30 TAC §115.221				\$1,750		\$875		
Failure to obtain a required occupational license (Program:	Failure to have Stage II vapor recovery equ	uipment	30 TAC §115.241				\$1,750		\$875		
Investigator Comments: (including corrective action)    Nust   obtain   State   Water   Pernit	Failure to obtain a Multi-Sector General Pe	rmit (stormwater)	30 TAC §281.25(a)(4)		4)			M	\$875		
Additional violation(s) noted: Yes Image: Additional violation(s) moted: Yes Image: Additional violation(s) noted: Yes Image: Additional penalty Name And Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214 Texas Commission on Environmental Quality PO Box 13088  Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 60 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional penalther respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the intentional penalther from the investigation and agreeing to pay the administrative penalty, I waive certain procedural rincluding the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right payment with the penalty is made only in the intentional penalther for the Commission Image: Additional penalther for the Commission Image: Additional penalther for the total assessed penalty above. Payment of the penalty, I waive certain procedura	•	cense )	30 TAC §30.5(a)						\$210		
IF YOU CHOOSE TO SETTLE the alleged violation(s) within 30 days from the investigation date noted above, please submit this form with the Author Representatives original signature AND check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Reg Entity Name AND Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214 Texas Commission on Environmental Quality PO Box 13088  Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 60 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional pena. The respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the int settlement.  As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural ri including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the rigappeal.  Michael Kewson  Printed Name  For the Commission  If YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be refered.			TOTAL	ASSESSE	ED P	ENALTY:	\$	875			
Representatives original signature AND check or money order for the total assessed penalty to the address below. Be sure and include BOTH the Regentity Name AND Field Citation No. noted above on your payment method.  Financial Administration Division, MC 214 Texas Commission on Environmental Quality PO Box 13088 Austin, Texas 78711-3088  Certification of completed corrective action for each alleged violation must be submitted to the address circled on the back of this form, within 60 from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional pena. The respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the int settlement.  As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural ri including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right appeal.  Muthorized Representative Signature  For the Commission  Date  IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be refered.	must obtain Stown Wat	er permit		A	dditional vi	olatio	n(s) noted:				
from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within the specified time frame may result in additional penal.  The respondent named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the interest settlement.  As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural right including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right appeal.  Title  For the Commission  Date  IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referenced.	Representatives original signature AND check or n	noney order for the total as n your payment method. Financial Administr Texas Commission o PO B	ration Division, Mon Environmental tox 13088	the addres	ove, please s below. Be	subm sure	it this form wit and include <u>B</u>	th the A OTH th	Authorized ne Regulated		
As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural ri including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right penalty.    Wichael Kewson Human Resource Manager   Printed Name	from the investigation date. Your signature below	and penalty payment with	hin 30 days from	the investig	jation date i	indica	tes that you w	ill corr	ect the		
including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right appeal.  Michael Kewson Human Research Manager Manager Printed Name  For the Commission  Date  IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referenced.		e alleged violation(s) with a	ın assessed pena	lty above. P	ayment of th	ne per	nalty is made o	only in t	the interest o		
IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referenced.	including the right to formal notice of violation(s) a appeal.	lleged in this citation, notic  Michael Ko	e of an evidentiar	y hearing, t	he right to a	ın evic	lentiary hearin	g, and	the right to		
<b>IF YOU CHOOSE TO CONTEST</b> the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referred the TCEO's Enforcement Division. Please be aware this Field Citation total assessed penalty amount will no longer be available.	For the Commission	Date									
FAILURE TO RESPOND TO THIS CITATION: If you fail to pay the assessed penalty, the TCEQ Enforcement Division will pursue further enforcement including assessment of increased administrative penalties. Financial inability to pay the penalty does not excuse failure to respond to and correct the	the TCEQ's Enforcement Division. Please be aware FAILURE TO RESPOND TO THIS CITATION: If y	re this Field Citation total a ou fail to pay the assesse	assessed penalty d penalty, the TCI	amount will EQ Enforcer	no longer b nent Divisio	e avai n will	ilable. pursue further	enforc	ement action		

violation(s).

Water (CWTR)

Waste/Multimedia (CWST)

☐ Dry Cleaner (CDRY)

☐ Air (CAIR)

### **TCEQ REGIONAL OFFICES**

1 – AMARILLO	2 – LUBBOCK	3 – ABILENE			
Regional Director - Brad Jones 3918 Canyon Dr. Amarillo, TX 79109-4933 806/353-9251 FAX: 806/358-9545	Regional Director - Randy Ammons       Regional Director - Winona Hen         3113 34th St.       1977 Industrial Blvd.         Lubbock, TX 79410-3227       Abilene, TX 79602-7833         806/796-7092       FAX: 806/796-7107         325/698-9674       FAX: 325/692-58				
4 – DALLAS/FORT WORTH	5 – TYLER	6 – EL PASO			
Regional Director - Frank Espino 2309 Gravel Dr. Fort Worth, TX 76118-6951 817/588-5800 FAX: 817/588-5700	Regional Director - Leroy Biggers 2916 Teague Dr. Tyler, TX 75701-3734 903/535-5100 FAX: 903/595-1562	Regional Director - Archie Clouse 401 E. Franklin Ave., Ste. 560 El Paso, TX 79901-1212 915/834-4949 FAX: 915/834-4940			
7 – MIDLAND	8 – SAN ANGELO	9 – WACO			
Regional Director - Jed Barker 3300 North A St., Bldg. 4-107 Midland, TX 79705-5451 432/570-1359 FAX: 432/570-4795	Regional Director - Ricky Anderson 622 S. Oakes, Ste. K San Angelo, TX 76903-7035 325/655-9479 FAX: 325/658-5431	Regional Director - Anna Dunbar 6801 Sanger Ave., Ste. 2500 Waco, TX 76710-7826 254/751-0335 FAX: 254/772-9241			
10 – BEAUMONT	11 – AUSTIN	12 – HOUSTON			
Regional Director - Georgie Volz 3870 Eastex Fwy. Beaumont, TX 77703-1830 409/898-3838 FAX: 409/892-2119	Regional Director - Patty Reeh 1921 Cedar Bend Dr., Ste. A150 Austin, TX 78758-5327 512/339-2929 FAX: 512/339-3795	Regional Director - Donna Phillips 5425 Polk St., Ste. H Houston, TX 77023-1452 713/767-3500 FAX: 713/767-3520			
13 – SAN ANTONIO	14 – CORPUS CHRISTI	15 – HARLINGEN			
Regional Director - Richard Garcia 14250 Judson Rd. San Antonio, TX 78233-4480 210/490-3096 FAX: 210/545-4329	Regional Director - Susan Clewis NRC Bldg., Ste. 1200 6300 Ocean Dr., Unit 5839 Corpus Christi, TX 78412-5839 361/825-3100 FAX: 361/825-3101	1804 West Jefferson Ave.  Harlingen, TX 78550-5247  956/425-6010 FAX: 956/412-5059			
16 - LAREDO	WORLD WIDE WEB				
Regional Director - Carlos Rubinstein 707 East Calton Rd., Ste. 304 Laredo, TX 78041-3887 956/791-6611 FAX: 956/791-6716	TCEQ rules, publications, agendas and highlights of Commission meetings and other environmental information are available from the convenience of your computer by accessing the TCEQ World Wide Web Home Page over the Internet at: www.tceq.state.tx.us.				

### **LOCAL GOVERNMENT OFFICES**

Environmental Management Department City of Fort Worth

5000 Martin Luther King, Jr. Fwy. Fort Worth, TX 76119-4166 817/871-5450 FAX: 817/871-5464

Environmental & Health Services Department City of Dallas

320 E. Jefferson Blvd., Rm LL13 Dallas, TX 75203-2632 214/948-4435 FAX: 214/948-4412 Air Program
El Paso City-County
Health & Environmental District
222 S. Campbell, Ste. 205
El Paso, TX 79901-2838
915/543-3599 FAX: 915/543-3655

Pollution Control Division Galveston County Health District P.O. Box 939 LaMarque, TX 77568-0939 409/938.2411 FAX: 409/938-2321